

## REMARKS

In this amendment, the Patent Owner has amended claim 11 to delete the more restrictive transition term "consisting essentially of" and to insert the open-ended transition term "comprising." The recitation of the restrictive transition term made the '887 patent at least partially inoperative because the '887 patent claimed less than the inventor, Dr. Graham Kelly, had a right to claim. Dr. Kelly had submitted a limited claim and now recognizes that the open-ended version more fully described his contribution to the art. Thus, because the inventor had claimed, without any deceptive intent, less than he had a right to claim, the inventor and the Patent Owner seek this amendment in this reissue application to broaden the protection conferred by the '887 patent.

For the foregoing reasons, the Patent Owner respectfully submits that claims 1-13 are in condition for allowance and earnestly requests early notification to this effect.

If there are any fees due in connection with the filing of this Preliminary Amendment not already accounted for, please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,  
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